



Attorney's Docket No.: 01996-005001

\$AF/  
3764  
#17/56  
10 2202

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : James P. Koch

Art Unit : 3764

Serial No. : 09/400,817

Examiner : Michael A. Brown

Filed : September 22, 1999

Title : CUSTOM MOLDED CERVICAL CAP AND METHOD AND KIT FOR FORMING SAME

RECEIVED

OCT 25 2002

BOX AF

Commissioner for Patents  
Washington, D.C. 20231

TECHNOLOGY CENTER R3700

NOTICE OF APPEAL

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the action dated June 18, 2002, finally rejecting claims 1-3, 5-6, 8-17, 19-27, 33-36, 39-56, 58-59.

A petition for an extension of time under 37 CFR §1.136 to extend the time to respond to the final rejection for 1 month(s) to and including October 18, 2002 is enclosed.

A check in the amount of \$160 for the appeal fee is enclosed. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: October 18, 2002

Reg. No. 30,175

Celia H. Leber  
Reg. No. 33,524

Fish & Richardson P.C.  
225 Franklin Street  
Boston, Massachusetts 02110-2804  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906

20527154.doc

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

10/24/2002 AWONDAF1 00000056 09400817

01 FC:2401

160.00 OP

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

October 18, 2002  
Date of Deposit

Julia Scherky  
Signature

Julia Scherky  
Typed or Printed Name of Person Signing Certificate